

MESSAGE NO: 3149202

MESSAGE DATE: 05/29/2003

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: PRE-Preliminary PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-552-801

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 05/29/2003 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: UPDATE TO MSG 3034201, 2/3/03,PRELIMINARY DETERMINATION IN THE
DUMPING INVESTIGATION OF FISH FROM VIETNAM (A-522-801)

MESSAGE NO: 3149202

DATE: 05 29 2003

CATEGORY: ADA

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REFERENCE:

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CASES: A - 552 - 801

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PERIOD COVERED: 05 29 2003 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: UPDATE TO MSG 3034201, 2/3/03,PRELIMINARY DETERMINATION
IN THE DUMPING INVESTIGATION OF FISH FROM VIETNAM
(A-522-801)

1. ON MAY 28, 2003, THE DEPARTMENT OF COMMERCE PUBLISHED IN
THE FEDERAL REGISTER ITS AFFIRMATIVE PRELIMINARY DETERMINATION OF
CRITICAL CIRCUMSTANCES FOR VOLUNTARY SECTION A RESPONDENTS IN THE
ANTIDUMPING DUTY INVESTIGATION OF CERTAIN FROZEN FISH FILLETS
FROM THE SOCIALIST REPUBLIC OF VIETNAM. THIS DETERMINATION
ADDRESSES CERTAIN MANUFACTURER/EXPORTERS FOR WHOM THE
DEPARTMENT

DID NOT HAVE CRITICAL CIRCUMSTANCES INFORMATION AT THE

PRELIMINARY DETERMINATION.

2. COMMERCE ISSUED AN AFFIRMATIVE PRELIMINARY ANTIDUMPING DUTY DETERMINATION AND AN AFFIRMATIVE PRELIMINARY DETERMINATION OF CRITICAL CIRCUMSTANCES FOR NON-VOLUNTARY RESPONDENTS OF CERTAIN FROZEN FISH FILLETS FROM THE SOCIALIST REPUBLIC OF VIETNAM ON JANUARY 24, 2003. AT THAT TIME, COMMERCE DIRECTED THE BUREAU OF CUSTOMS AND BORDER PROTECTION (CUSTOMS) TO SUSPEND LIQUIDATION OF ALL APPROPRIATE ENTRIES OF CERTAIN FROZEN FISH FILLETS FROM THE SOCIALIST REPUBLIC OF VIETNAM FROM NON-VOLUNTARY RESPONDENT COMPANIES ONLY (MESSAGE NUMBER 3034201, FEBRUARY 3, 2003). COMMERCE AMENDED ITS AFFIRMATIVE PRELIMINARY ANTIDUMPING DUTY DETERMINATION OF CERTAIN FROZEN FISH FILLETS FROM THE SOCIALIST REPUBLIC OF VIETNAM ON FEBRUARY 26, 2003 (MESSAGE NUMBER 3069208, MARCH 10, 2003). COMMERCE ALSO ISSUED MESSAGE NUMBER 3059207, FEBRUARY 25, 2003, REGARDING TRADE NAMES FOR TWO MANUFACTURER/EXPORTERS.

3. AT THIS TIME CUSTOMS SHALL SUSPEND LIQUIDATION OF ALL ENTRIES OF CERTAIN FROZEN FISH FILLETS FROM THE SOCIALIST REPUBLIC OF VIETNAM FROM VOLUNTARY RESPONDENTS THAT ARE ENTERED, OR WITHDRAWN

FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 90 DAYS PRIOR TO THE DATE OF PUBLICATION IN THE FEDERAL REGISTER OF THE PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE (LTFV), WHICH WAS NOVEMBER 2, 2002. CUSTOMS SHALL REQUIRE A CASH DEPOSIT OR POSTING OF A BOND EQUAL TO THE ESTIMATED AMENDED PRELIMINARY ANTIDUMPING MARGIN REFLECTED IN THE AMENDED PRELIMINARY DETERMINATION OF SALES, AS SHOWN BELOW:

| MFR/PRODCR/EXPORTER | CUSTOMS ID NUMBER |
|---------------------|-------------------|
|---------------------|-------------------|

| MARGIN PERCENTAGE |
|-------------------|
|-------------------|

| | |
|--|---------------|
| CAN THO ANIMAL FISHERY PRODUCTS PROCESSING EXPORT ENTERPRISE | |
| A-552-801-006 | 36.76 PERCENT |
| QVD FOOD COMPANY LIMITED | |

A-552-801-009

36.76 PERCENT

DA NANG SEAPRODUCTS IMPORT-EXPORT CORPORATION

A-552-801-007

36.76 PERCENT

AN GIANG AGRICULTURE AND FOOD IMPORT EXPORT COMPANY

A-552-801-005

36.76 PERCENT

4. FOR PURPOSES OF THIS INVESTIGATION, THE PRODUCT COVERED IS FROZEN FISH FILLETS, INCLUDING REGULAR, SHANK, AND STRIP FILLETS, WHETHER OR NOT BREADED OR MARINATED, OF THE SPECIES PANGASIUS BOCOURTI, PANGASIUS HYPOPHthalmUMS (ALSO KNOWN AS PANGASIUS PANGASIUS), AND PANGASIUS MICRONEMUS. THE SUBJECT MERCHANDISE WILL BE HEREINAFTER REFERRED TO AS FROZEN "BASA" AND "TRA" FILLETS, WHICH ARE THE VIETNAMESE COMMON NAMES FOR THESE SPECIES OF FISH. THESE PRODUCTS ARE CLASSIFIABLE UNDER TARIFF ARTICLE CODES 0304.20.60.30 (FROZEN CATFISH FILLETS), 0304.20.60.96 (FROZEN FISH FILLETS, NESOI), 0304.20.60.43 (FROZEN FRESHWATER FISH FILLETS) AND 0304.20.60.57 (FROZEN SOLE FILLETS) OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS"). THIS INVESTIGATION COVERS ALL FROZEN FISH FILLETS MEETING THE ABOVE SPECIFICATION, REGARDLESS OF TARIFF CLASSIFICATION. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTION OF THE SCOPE IS DISPOSITIVE.

5. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER (A-552-801).

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, THE IMPORTING PUBLIC, OR INTERESTED PARTIES

PLEASE CONTACT JOE WELTON AT JOSEPHWELTON@ITA.DOC.GOV , OR AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0165.

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party